

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JEFFERSON-PILOT LIFE INSURANCE CO.,	)	CASE NO. C-1-02-479
	:	
Plaintiff,	)	JUDGE SPIEGEL
	:	Magistrate Judge Hogan
vs.	)	
	:	
CHRISTOPHER L. KEARNEY,	)	<u>NOTICE OF DEPOSITION</u>
	:	
Defendant.	)	

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 30(b)(6), the defendant in the above matter will take the deposition of Disability Management Services, Inc. ("DMS") on Thursday, April 29, 2004, at 9:00 a.m. The deposition will be conducted at the offices of Graydon Head & Ritchey LLP, 1900 Fifth Third Center, 511 Walnut Street, Cincinnati, Ohio, 45202. The deposition will be conducted before a notary public or other officer duly authorized to administer oaths, and will cover the following topics:

1. The financial and other terms of Jefferson-Pilot Life Insurance Company's relationship with DMS, including but not limited to DMS' administration of Chris Kearney's benefits claim;
2. The information, communications, and documentation (including electronic communications) shared between J-P and DMS;
3. DMS' administration of Mr. Kearney's claim;
4. DMS' disability claim administration process, including the policies and procedures applicable to that process; and
5. J-P's Complaint, affirmative defenses, answers to interrogatories, and production of documents in this action.

The Deponent is further notified that the deposition shall continue from day to day until completed, and you may appear and take such part in the examination as you be advised and shall be fit and proper.

Dated: April 26, 2004

Respectfully submitted,

OF COUNSEL:

GRAYDON HEAD & RITCHEY LLP  
1900 Fifth Third Center  
511 Walnut Street  
Cincinnati, Ohio 45201  
(513) 621-6464  
Cincinnati, Ohio 45201

/s Michael A. Roberts  
Michael A. Roberts (0047129)  
GRAYDON HEAD & RITCHEY LLP  
Trial Attorney for Plaintiff  
1900 Fifth Third Center  
511 Walnut Street  
(513) 629-2799  
(513) 651-3836  
email: mroberts@graydon.com

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was filed electronically and thereby served this 26<sup>th</sup> day of April 2004 on William R. Ellis, Wood & Lamping, 600 Vine Street, Suite 2500, Cincinnati, Ohio 45202.

/s Michael A. Roberts